

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**MICHAEL TED LAMB,
TDCJ-CID # 790214,
*Plaintiff,***

v.

**RICHARD L. CRITES, *et al.*,
*Defendants.***

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CIVIL ACTION NO. 2:11-CV-00027

EXHIBIT F

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MICHAEL TED LAMB,
TDCJ-CID # 790214,
Plaintiff,

v.

RICHARD L. CRITES, *et al.*,
Defendants.

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CIVIL ACTION NO. 2:11-CV-00027

AFFIDAVIT OF RICHARD CRITES

STATE OF TEXAS

COUNTY OF Bee

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BEFORE ME, the undersigned authority, personally appeared Richard Crites, known to me personally, who after being duly sworn, deposed and stated as follows:

"My name is Richard Crites. I am over the age of 18 years, competent to make this affidavit, and have personal knowledge of the facts herein stated. I am making this affidavit in connection with the cause of action entitled *Michael Ted Lamb*, (TDCJ-CID 790214) v. *Richard L. Crites*, Cause No.2:11CV00027, pending in the United States District Court for the Southern District of Texas, Corpus Christi Division.

I am currently a retired Texas Department of Criminal Justice ("TDCJ") employee. Prior to retirement, I worked as the Assistant Warden at the McConnell Unit in Beeville, Texas. I held that position in 2010 when the alleged events giving rise to this lawsuit occurred.

I am aware that offender Michael Lamb is suing me and three McConnell Unit employees for allegedly violating his rights under the Eighth Amendment of the United States Constitution. Specifically, Plaintiff alleges that Defendants retaliated against him for exercising his First Amendment right to file Lamb v. Mendoza et. al. lawsuit. He alleges that I disabled his identification/commissary card and/or imposed a freeze on his trust fund account for purposes of retaliation. Plaintiff also alleges other acts of retaliation including an attempted cell reassignment and threatens of disciplinary action for refusal of the cell assignment. I deny these allegations.


On the matter of Plaintiff's trust fund account, I did not place a hold on Plaintiff's trust fund account and/or disable his commissary/identification card nor did I order anyone to do so in August of 2010. I only became aware of Plaintiff's problem with accessing his account when his sister called and notified me at the McConnell Unit.

With respect to the alleged cell reassignment, I have no knowledge of Plaintiff being reassigned to the alleged noisy cell and did not order it on June 7, 2010. I also deny threatening Plaintiff with disciplinary action for refusing to accept a new cell.

I reserve the right to amend or supplement this affidavit should additional information be needed.

In witness whereof, I have hereto set my hand on this the _____ day of October, 2011.

Further affiant sayeth not."



Richard Crites
Former Assistant Warden
McConnell Unit
Texas Department of Criminal Justice

STATE OF TEXAS

COUNTY OF BEE

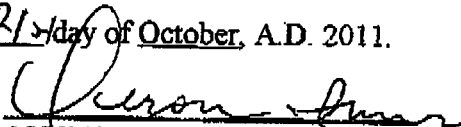
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BEFORE ME on this day personally appeared Richard Crites, known to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 21 day of October, A.D. 2011.

My commission expires:

04/14/2014



NOTARY PUBLIC in and
For the State of Texas

